

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

CHARLES PORTER, *on behalf of himself
and all others similarly situated,*

Plaintiff,

vs.

SPAN-AMERICA MEDICAL SYSTEMS,
INC., THOMAS D. HENRION, JAMES
D. FERGUSON, THOMAS F. GRADY,
RICHARD C. COGGINS, ROBERT H.
DICK, DAN R. LEE. LINDA D.
NORMAN, THOMAS SULLIVAN, and
TERRY ALLISON RAPPUHN

Defendants.

Case No.: 6:17-cv-01357-MGL

**STIPULATION AND ORDER CLOSING AND
TERMINATING THE ACTIONS**

WHEREAS, on July 11, 2017, the Court entered an Order dismissing without prejudice the complaint in the above-captioned action and retaining jurisdiction solely for considering any application for an award of attorneys' fees and expenses;

WHEREAS, the parties have reached agreement with respect to payment of attorneys' fees and expenses, in full satisfaction of any claims for attorneys' fees or expenses in the above-captioned action or in any of the following related actions: *Berger v. Span-America Medical Systems, Inc., et al.*, C.A. No. 6:17-cv-01399-MGL (D.S.C.), or *Pill, et al., v. Henrion et al.*, C.A. No. 6:17-cv-01375-MGL (D.S.C.);

There being no further issue for the Court to consider, the Court, at the request of the parties, hereby issues the following order:

1. The above-captioned action is terminated and administratively closed, with the Court no longer retaining jurisdiction to consider any application for an award of attorneys' fees and expenses.

NEXSEN PRUET, LLC

Dated: September 6, 2017

By: /s/ Andrew A. Mathias

Andrew A. Mathias (Fed. ID # 10166)
Sima Bhakta Patel (Fed. ID # 11372)
P. O. Drawer 10648
Greenville, South Carolina 29603
Telephone: (864) 282-1163
Facsimile: (864) 477-2631
E-Mail: spatel@nexsenpruet.com
amathias@nexsenpruet.com

LEVI & KORSINSKY LLP

Donald J. Enright (to be admitted *pro hac vice*)
Elizabeth K. Tripodi (to be admitted *pro hac vice*)
1101 30th Street, N.W., Suite 115
Washington, D.C. 20007
Telephone: (202) 524-4290
Facsimile: (202) 333-2121
Email: denright@zlk.com
etripodi@zlk.com

Counsel for Plaintiff

WYCHE P.A.

Dated: September 6, 2017

By: /s/ Wallace K. Lightsey

Wallace K. Lightsey (D.S.C. Bar. No. 1037)
Eric K. Graben (D.S.C. Bar No. 7344)
44 East Camperdown Way
Greenville, South Carolina 29601
Telephone: (864) 242-8200
Facsimile: (864) 235-8900
Email: wlightsey@wyche.com
egraben@wyche.com

Of Counsel:

COOLEY LLP

Peter Adams (Cal. Bar No. 243926)
Koji Fukumura (Cal Bar No. 189719)
4401 Eastgate Mall
San Diego, CA 92121-1909
Telephone: (858) 550-6059
Facsimile: (858) 550-6420
Email: padams@cooley.com
kfukumura@cooley.com

Counsel for Defendants

SO ORDERED this 7th day of September, 2017

s/Mary Geiger Lewis

THE HONORABLE MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE